

November 13th, 2018
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, November 13th, 2018 at 8:30 AM in the County Commissioner's Room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting was called to order by Chairman Kerkman, with the following board members responding to roll call: Schindler, Jacob, Henery, Schwager, and Kerkman. Chairman Kerkman stated that the open meeting laws are posted on the east wall of the Commissioner's room with more copies available at the County Clerk's Office.

Notice of the meeting was given in advance thereof by publication in the four county newspapers, legal newspapers printed and in general circulation in Antelope County, Nebraska as shown by proof of publication filed in the County Clerk's office. Agenda for said meeting was sent to all members of the County Board of Commissioners.

Pledge of Allegiance was recited.

Review of all claims.

9:10 AM Motion by Commissioner Henery, seconded by Commissioner Schindler to approve **Vendor Claims** as presented. Voting aye: Schindler, Jacob, Schwager, Henery and Kerkman. Nays none. Motion carried. Warrant signed.

We, the Committee on Claims, report that we have examined and approved for payment the following claims:

General: Joseph Abler, meal reimbursement 42.72; Antelope County Court, county court costs 290.25; Antelope County District Court, district court costs 36.00; Antelope County News, voter/election publications, notice of public hearing, notice of meetings, proceedings, sample ballots, noxious weed notice 1410.80; Ant Co Treas, inter fund transfer to road and bridge 100,000.00; Appera, micro swipes, dust mops, textile maintenance, service charge 41.23; Applied Connective Technologies, email and office 365 business services 85.50; Bear Graphics, record binders 533.03; Black Hills, heating fuel 523.32; Bob Barker Co, drug test cups 511.50; Bomgaars, dog food, hand cleaner, spray paint, duct tape, utility knife, refrigerator, oil change, shop towel, nylon rope, motor craft oil, filter oil, corner brace, antifreeze, fuel in a can, spark plug, deep socket 197.49; Dean Brown, prior service 25.00; Brunswick Library, yearly contribution 2750.00; Carney Law, court appointed attorney fees 6453.24; Casey's, fuel 1402.92; Cass Co Court, copies 4.00; City of Elgin, recycling 250.00; City of Neligh, electricity, water, garbage, recycling 2089.05; Clearly Communications, telephone service 164.57; Clearwater Library, yearly contribution 2662.50; Clearwater Record, notice of public hearing, voting/election publications, meeting proceedings, board of equalization, sample ballots, bills, noxious weed notice 713.33; Cornhusker State Ind, toilet bowl cleaner 96.00; Country Inn, lodging expense 198.00; Creative Product Source, commuter briefcase, Dare products, graduation pins, essay winner medal, graduation certificates, erasers, drawstring bags, ruler, squeeze bottles, t-shirts, shipping 849.78; Cubby's, fuel 1221.16; DAS Financial, teletype, data processing 575.68; Dell Marketing, toner cartridge 121.51; Doerr & Klein, court appointed attorney fees 2473.73; Dollar General, toilet paper, bottle water, hand sanitizer, coffee, room deodorizers, furniture polish, paper towels, cleaning supplies, freezer bags, Lysol, milk, Kleenex, 133.56; Dusty's, fuel 88.00; Eakes, hanging folders, folder hanger, desk notes, custom binders, ink refill, ink ribbon, two-hole punch, shipping 581.61; Election Systems & Software, ballot layout and printing 7951.80; Elgin One Stop, fuel 25.22; Elgin Public Library, yearly contribution 3053.12; Elgin Review, meeting proceedings, board of equalization, notice of public hearings, notice of meetings, voting/election publications, sample ballots 1187.09; Elite Office, monthly copier maintenance agreements 902.17; Fairfield Inn, lodging expense 314.85; First Concord, cafeteria plan fees 17.50; Floor Maintenance, damp mop, cleaner, toilet paper 124.86; Frontier Communication, telephone service 2247.32; G & B Sprinklers, fall service 150.00; Great Plains Comm, telephone service 454.30; Tessa Hain, candy for recruitment supplies 29.48; Hall County Court, copies 2.25; Lyle Hart, hauled commodities 200.00; Nadene Hughes, prior service 14.00; International Association of Assessing Officials, 2019 membership fees 210.00; Jack's Uniform, entry ram, uniforms 424.85; Jimson Towing, vehicle towing 550.00; Jonny Dodge, labor and parts for unit alignment, labor and parts to repair exhaust leak, oil changes, labor and parts to repair evap hose, key fob, labor to program key 1175.14; LeRoy Kerkman, workshop registration 65.00; Bob Krutz, mileage for planning commission meetings 151.48; Lichtenberg Tire, tires, tire mount/dismount, tire balancing, miscellaneous shop supplies, tire disposal fee, Nebraska tire fee, tire rotation 278.50; Madison National, county matching 95.23; Maximus Consulting, 2017 cost allocation plan 600.00; Microfilm Imaging Systems, monthly rent for scanning equipment 87.00; David Miller, mileage for planning commission meetings 54.10; MIPS, data processing, checks, direct deposit vouchers, dues 736.56; Motoplex of Norfolk, oil filter, oil, lube kit, washer, full service 199.55; N & B Gas Co, rental tank 60.00; NACO, convention workshop registrations 750.00; Nebraska Health & Human Services, mental health financial responsibility 180.00; NSA/POAN Conference, registration fee 75.00; Neligh Auto, oil filter, oil, fuse, core, valve tool 63.44; Neligh News, sample ballots, voting/election publications, meeting proceedings/bills, board of equalization, notice of public hearing, noxious weed notice 742.13; Neligh Library, yearly contribution 3494.00; Kraig Nelson, uniform 25.00; Thomas Nelson, Taglio PIVKeys 23.98; NPZA Northeast District, fall workshop registration fee 40.00; Oakdale Library, yearly contribution 2915.63; Bruce Ofe, workshop fee 15.00; Office Depot, envelopes, ink cartridges 297.56; One Office, copier contract, excess copies, ink roller 174.99; Orchard News, notice of meetings, notice of election, board of equalization, notary stamp for employee 489.47; Orchard Library, yearly contribution 2915.63; Maria Ortiz, meal reimbursement 24.76; Donna Payne, prior service 25.00; Pitney Bowes, postage 5000.00; Phyllis Perdew, mileage for planning commission meetings 54.10; Petty Cash (Dist Court), postage 121.00; Petty Cash (County Sheriff), postage, certified copies 30.76; Pinnacle Bank, replacement sharps bin, dispatcher stress, fuel, heat gun, 5 gallon food safe pails w/ lid, Clorox, Kleenex, terry cotton, mop head 305.18; Quill, toner cartridges, pens 151.95; Kurt Rakow, mileage for planning commission meetings 64.80; Caroline Siems, prior service 25.00; Wex Bank, fuel 825.98; Stratton, Delay, Doele, court appointed attorney fees 1953.40; Tax Valuation, commercial contract – land values, depreciation tables & property values 18,000.00; Thriftway Market, soap, toilet paper 19.87; Tilden Library, yearly contributions 2916.50; Uline, shelving, cleaning supplies, labels 809.16; UNL Its Comm, telephone service 91.04; US Cellular, telephone service 361.36; Verizon, weed department cell phone 81.33; Clearwater Village, recycling 250.00; Bonita Welke, prior service 22.00; Greg Wortman, mileage for planning commission meetings 130.20.

Road & Bridge: AG & Industrial, labor and parts to service heater 523.52; Antelope Memorial Hospital, drug testing 90.00; BARCO, single spring signs 396.00; Black Hills Energy, heating fuel 379.15; Blackburn Manufacturing, warning flags, shipping 909.69; Bomgaars, replacement handle, wire rope, antifreeze, diesel fuel supplement, fuel stabilizer, solvent, screw driver, emblem, oil, recovery strap, oil jack, trash can, bathroom tissue, extension cord, gauge, trespass signs, chisel set, punch drift, notebooks, ball mount, hitch pins, PVC glove, flashlight, rain suit, gloves, rain poncho, threaded rod, saw, shop creeper, floor dry, wheel barrow wheels, bulk bolts, oil stabilizer, lint duster, batteries 819.90; Carhart Lumber, fastener, key blank 12.56; Carquest, starter solution, 24.70; Elgin City, electricity 112.50; Tilden City, garbage, sewer, water 69.03; Constellation Gas, heating fuel 29.02; Cornhusker International Truck, window vent 400.37; Cubby's, fuel 184.31; D & M Machinery, starting fluid, cleaner, chain, plug 83.84; Dusty's, fuel 66.80; Elkhorn Rural Public Power District, electricity 510.00; Emme Sand, road gravel, rock 10,821.23; Farmer's Pride, fuel 18,759.75; Frontier Comm, telephone service 381.16; Funk Construction, machine hire to clean ditch east of Clearwater 400.00; Great Plains Communication, telephone service 265.26; Green Line, filter kits, angle, equipment rentals 2086.07; Hinrichsen Sand, ex 4931.82; Hometown Station, fuel 3383.41; Island Supply, oxygen/acetylene 178.20; Jebro, asphaltic oil 2964.58; JEO, engineering fees 11,574.75; Jonny Dodge, labor, replace equalizers & bolts, adjust brakes, miscellaneous parts 1084.56; K & S Door, labor, material and travel to install weather seal, level doors, oil & grease booms, straightened tracks, tighten chains 228.75; Kayton International, seal kit, swing stop, bolts, bearings, freight, labor, couplings, tine 1809.61; L Bar B, road department meeting meals 288.08; Lawson Products, hammer lock pin kits 14.02; Lazy T, hydraulic hoses, stem gates, crimp fee, heavy duty battery, oil 1730.84; Lichtenberg Tire, tires, tire disposal fee, Nebraska tire fee, miscellaneous shop supplies, service call, flat repairs, O-ring, plug patch, HD tube, tire mount/dismount 2037.76; Madison National Life, county matching 57.50; Matteo Sand, road gravel, stockpile, crushed concrete, dirt 27,347.95; Mid-West Repair, brake pads, rotors, brake fluid, caliper, labor 374.35; Mitteis Gravel, road gravel 10,682.94; Mr. S's, fuel 530.26; N & B Gas, heating fuel 238.60; NACO, cobra insurance premiums & administration fees 926.34; Nebraska Public Power District, electricity 297.90; Neligh Auto, towels 89.96; North Central Public Power District, electricity 188.41; Northeast Nebraska Telephone Company, telephone service 200.19; Orval's Auto, check codes & replace sensor/sign, repair A/C, O-rings, oil, labor 379.25; Pollock Redi Mix, oversize rock, mud rock, road gravel 3617.80; Powerplan, jobsite service, mileage charge, labor to repair machine that would not start 337.60; Quality Iron, oxygen, angle, pipe 264.50; Quick Serve, fuel 203.85; Reinke's Farm/City Service, tire, weld 95.86; Road Builders, parts and labor to repair front axle, parts and labor repair exhaust leak, labor and parts to repair airline, parts and labor to repair broken cab door, parts and labor to repair transmission cooler, removed all circle shoes and wear strips, installed new pinion gear, repair A/C, installed new cooler/thermostat 16,643.97; Royal One Stop, fuel 101.77; Rutjen's Construction, 613 scraper 945.00; Ryan's Truck & Tractor, hose, clamp, bolts, nut, washers, transfer pump, gasket, decal, 5th wheel table grease, shop supplies, fuel filters 2195.85; Sapp Bros, fuel 2707.33; Schroeder Land Surveying, surveying fees, Project No. 2018-04-03 755.00; Spud Trucking, red rock, crushed concrete, crushed cement 15,720.85; Tinsley Grain, red rock, white rock 16,934.10; Verizon Wireless, telephone service 107.14; Brunswick Village, water, sewer, trash 93.00; Clearwater Village, water sewer, trash 66.50; Orchard Village, water 46.00.

Visitors Promotional Fund: Neligh-Oakdale Teammates, promotional grant for 34th annual craft show 300.00; VFW Sharkey-Reuss Auxiliary #5816, promotional grant for Christmas Tour of Homes 300.00.

Visitors Improvement Fund: Neligh Baseball Booster, improvement grant for replacing fence at Legion field 1500.00.

Inheritance Fund: Cindy Kraft, refund for overpayment for inheritance tax 129.18; Joyce Warneke, refund for overpayment for inheritance tax 1036.21.

Law Enforcement: Antelope County Treasurer, funding to offset insurance premiums 39,000.00; Buffalo County Sheriff, inmate boarding 1361.01; Cash-Wa, apple juice, pork patties, chicken breast patties, cabbage slaw mix, potatoes baker, cheese slices, chicken fajitas, biscuit dough, fruit punch, tater tots, garlic salt, corn starch, gravy mix, instant yeast, flour, sugar, dry milk, liners, pasta, food storage containers, salt, chicken legs, ham, broccoli florets, burgers, ice cream cups, turkey ends, seasoning salt, herbs/spices, mandarin oranges, peaches, applesauce, mayo, vinegar, CCQ sauce, corn oil, pudding, cornmeal, rice, gelatin, dish detergent, egg noodles, apple slices, tomato juice, peanut butter, ground beef, pork 5646.69; Norfolk City, 2018-2019 SNARE 1500.00; Dean's Market, ground beef burgers, tombstone pizzas 210.10; Dollar General, reading glasses, petroleum jelly, ibuprofen, pain relievers, saline, melatonin, eye drops, card, Kleenex, freezer bags, milk 45.15; Faith Regional Health, drug testing 200.00; Faith Regional Physician, doctor visits for inmates 3491.00; Hiland Dairy, milk 273.96; Stratton, Delay, Doele, court appointed attorney fees 93,746.66; Thriftway Market, margarine, freezer bags, soups, ramen noodles, saltines, sandwiches, Gatorade, eggs, peas, cherry tomatoes, butter, hamburger buns, corn, salt, spray butter, garlic salt, milk, Kool-Aid, caramel apple pops, candy bars 1315.98; Wanek Pharmacy, inmate prescriptions 202.16.

Commissary Fund: Cash-Wa, ice cream sandwiches, assorted candy 913.14, Keefe Supply, coffee, potato chips 158.40; Pinnacle Bank, DVD's, popcorn, melatonin, saline solution, toaster pastries, sandwich crackers, composition books, granola bars, deodorant, hair clipper kit, books 818.40.

Building Fund: Beckman Lumber, gravel shed 8825.00; Boyd's Electric, rewired phone & computer outlets in Assessor's office, labor, double outlets, connectors 691.62; C & J Construction, 6'X8", frost footing, backfill, 6" floor w/rebar, 18'X24' approach 12,168.00; Eakes Office, free standing tables, hanging pedestals, top mount dividers, shipping, delivery, office furniture, labor to install furniture 2601.88; Merit Mechanical, HVAC service work, merit labor, Trane factory techs 7836.00; O'Neill Pest, pest control 235.00

Register of Deeds: MIPS, data processing 309.90.

General: Total Payroll: 95,979.48; AFLAC, insurance 1053.60; Ameritas, retirement 14,245.80; BC/BS, insurance 59,856.44; Buffalo County Court, garnishment 252.68; Colonial Life, insurance 58.25; Garnishment, 968.74; Federal Withholding, 9574.13; First Concord, insurance 1062.49; Liberty National, insurance 39.17; Madison National Life, insurance 37.53; State Tax, 3879.08; VSP, insurance 457.71; Social Security, 19,216.44; Washington National, insurance 886.28.

Road & Bridge: Total Payroll: 56,794.97; AFLAC, insurance 214.63; Ameritas, retirement 8167.51, BC/BS, insurance 31,390.94; Colonial Life, insurance 18.00; Garnishments, 385.96; Federal Withholding, 5375.59; First Concord, insurance 345.83; Liberty National, insurance 70.92; Madison National Life, insurance 35.95; State Tax, 2174.77; VSP, insurance 188.95; Social Security, 11,285.06; Washington National, insurance 302.80.

Ed Schindler /s/11-13-2018

Jerald Schwager/s/11-13-2018

Charles Henery /s/11-13-2018

Motion by Commissioner Schwager seconded by Commissioner Schindler to **pay payroll claims** except claims to Edmund Schindler and Marlene Schindler. Voting aye: Schwager, Schindler and Kerkman. Henery and Jacob abstained. Nays none. Motion carried. Warrant signed

Motion by Commissioner Schwager seconded by Commissioner Henery to **pay payroll claims** for Edmund Schindler and Marlene Schindler. Voting aye: Henery, Jacob, Schwager and Kerkman. Schindler abstained. Nays none. Motion carried.

Correspondence was reviewed: NDOR & NDOT joint letter regarding statewide highway plans; Annual Agriculture Meeting on November 26th, 2018; UBT Monthly Statement Antelope Memorial Hospital Bonds; Gab Steinmeyer letter of support of Thunderhead;

Liz Doerr, **Zoning Administrator** gave her regular meeting report. There are several positions on Planning Commission and Board of Adjustments that are up for reappointment. She would like to have them appointed in December and is looking for names and interested parties. She requested the board to make suggestions. These are three (3) year terms. Board of Adjustments does not meet that often, and are at large. Dave Miller currently serves on both boards, per statute. End of report.

Pledge Collateral was reviewed: \$250,000.00 FDIC insured and \$1,281,555.00 Pledged.

Receipts: none.

Clerk of the District Court October Fee Report was reviewed and put on file.

VFW Shorkey-Reuss Auxillary 5816 requested \$300.00 to promote their Christmas Tour of Homes to fund promoting patriotism. The request was approved by and recommended for approval by **Improvement/Promotional Board**. Motion by Commissioner Henery seconded by Commissioner Schwager to approve the grant as approved by the Promotional Committee. Voting aye: Jacob, Henery, Schwager, Schindler and Kerkman. Nays none. Motion carried. Claim signed for payment.

Motion by Commissioner Henery, seconded by Commissioner Schindler to **approve minutes of the November 6th, 2018** meeting of the Board of Commissioners as presented. Voting aye: Schindler, Jacob, Henery, Schwager and Kerkman. Nays none. Motion carried.

Township Claims: Motion by Commissioner Henery, seconded by Commissioner Schwager to **pay Township Claims**. The list included a claim from Matteo Sand & Gravel for Oakdale Township. This claim was in fact a claim Commissioner Henery had hauled and recognizing same identified them as Oakdale stockpile claims. The other claims for payment include:

Emme Sand & Gravel- \$582.54-Logan Township

Emme Sand & Gravel-\$772.54-Oakdale Township

Emme Sand & Gravel-\$199.88-Neligh Township

Mitteis Gravel LLC-\$3383.14-Royal Township

Mitteis Gravel LLC-\$1230.73-Verdigris Township

Voting aye: Schindler, Jacob, Schwager, Henery and Kerkman. Nays none. Motion carried.

Road Boss Report: Fractured Critical Bridge map presented.

Tree Policies: There have been ten (10) tree problem areas identified. Because of the different issues including election and harvest we will work on this in the coming week. During the identification process and talking to some of the landowners some of them have already acted to correct the problem. We will send letters out before following-up during the December meeting.

Underground Permit: Motion by Commissioner Schwager, seconded by Commissioner Jacob to approve the application for permit submitted by John Beckman to place a permanent electric line beneath 524th Avenue crossing in the NE¼ of Section 32, Township 23, Range 6 West of the 6th P.M., Antelope County, Nebraska. This line must be signed and signage must be maintained. John Beckman – owner, electric line to be used for center pivot irrigation, all work to be done according to State and County specs. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Bridge County Matching: Casey Dittrich has been working with Brian McDonald to identify some bridges that may qualify above other submitted bridges. Antelope County received the bridge matching acceptance last qualification. Casey requested the Commissioners make a decision. The qualifications is they have to be deemed fractured critical before they would qualify. A map was presented; however, it was not an easy read on the screen. Casey showed the map on his laptop. There was general discussion on multiple bridges.

RUA: Due to the Conditional Use Permit public hearing Casey wanted to discuss the Road Use Agreement for the Thunderhead CUP.

He has been working with various counties to help improve any future road use agreements. If the CUP submitted by Invenergy is accepted Casey is requesting a means to put more teeth into the RUA to help with any problems that may arise. Including progressive disciplinary actions as a whole. He will discuss further during the public hearing.

Dean Smith met with the Commissioners regarding **Upstream Road Issues**.....he asked if the roads that were closed by Road Boss last week if they had been opened. Casey responded they had been opened after proper gravel and drying of the roads occurred. Dean supported the comments made by Casey regarding the RUA. Dean stated he did not think the public hearing should proceed today, because of deficiencies in

the hearing notice and deficiencies in the current Upstream Agreement with the County that to his findings are not complete yet. The notice stated public comments will be accepted until 4:30 PM on Monday, November 12th, 2018. When in fact the Courthouse was legally closed.

PUBLIC Hearing Discussion: Joe Abler met with the commissioners regarding the courthouse being closed yesterday and the Public Hearing Notice statement of accepting comments through Monday, November 12, 2018. Joe advised the Commissioners it was up to them, but the courthouse was closed. A discussion with the Commissioners and County Attorney was held. Liz Doerr, Zoning Administrator noted that written comment is accepted during the public comment part of the public hearing. Motion by Commissioner Schwager, seconded by Commissioner Henery to postpone Thunderhead Public Hearing until December 4th, 2018, at 8:00 AM. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried. It was later discussed the Public Hearing will be moved to 10:00 AM due to various deadlines, and preparation details.

CUP Public Hearing Thunderhead postponed.

Recent discussion on the **Juvenile Diversion Program**. County Attorney Joe Abler said he did not have any support since the deputies that worked with the program are not interested in continuing. After corresponding with Sherry Petersen at the Madison County Attorneys Office they are willing to support the program if the Attorney is willing to refer juveniles for program participation. Multiple conversations regarding same have been back and forth. County Attorney Joe Abler, has agreed that participation in the Diversion Program working with the Madison County Officers. The County Attorney will work with the Sherry Petersen regarding future references for the Juvenile Diversion.

Motion by Commissioner Schindler, seconded by Commissioner Jacob to included paying the Matteo Sand & Gravel claim from the Road and Bridge Fund (Matteo Sand & Gravel - \$2252.76). Voting aye: Schindler, Jacob, Henery, Schwager, and Kerkman. Nays none. Motion passed.

Motion was made by Commissioner Henery seconded by Commissioner Schwager to **adjourn**. Voting aye: Schindler, Jacob, Henery, Schwager, and Kerkman. Nays none. Motion passed.

Meeting adjourned at 10:03 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, LeRoy Kerkman

Attest: _____
County Clerk, Lisa Payne